2763

(Base) Agency: Building Program
Production Bakery

Recommendations:

Paper No. 249: Alternative 2

Comments: The cost of this convict bakery project (i.e. the "Ellsworth Project" - ha) has grown at every stage of the process. DOC recommended \$3 million, DOA recommended \$3.4 million, and the Building Commission jacked it up to \$3.7 million. Factoring in a 20-year repayment schedule, the cost of this ultimate cost of this bakery is \$6.2 million. If program revenues can't cover costs, GPR would be needed. I like bakery products too (some would say I'm addicted), but this is ridiculous.

In addition, as the cost goes up, the details go down. FB raises a number of concerns about the vague nature of the Building Commission proposal in paragraph 5.

Alternative 2 deletes the DOC bakery from the capital budget for the time being, and requires DOA to do some more research on this "half-baked" proposal. It can be considered again at a later time once the details are worked out.

prepared by: Barry



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June 3, 1999

Joint Committee on Finance

Paper #249

Production Bakery (Building Program)

[LFB 1999-01 Budget Summary: Page 122-1, #1]

CURRENT LAW

Six correctional institutions (Columbia, Green Bay, Waupun, Taycheedah, Fox Lake, Jackson and Oshkosh) currently have bakeries which can produce breads and other baked products.

BUILDING COMMISSION

Enumerate the construction of a production bakery for the Department of Corrections to produce breads and other baked products for institutions in southeastern Wisconsin and provide \$3,700,000 in program revenue supported borrowing for the construction.

DISCUSSION POINTS

- 1. The 1999-01 capital budget would authorize that a production bakery be constructed at an undetermined correctional facility to serve southeastern Wisconsin institutions. Potential customers of the facility include not only southeast Wisconsin adult and juvenile correctional facilities, but also the Southern Wisconsin Center for the Developmentally Disabled (SWC), the Southern Wisconsin Veteran's Center and the Wisconsin School for the Deaf.
- 2. The bakery was not included as part of Corrections' initial 1999-01 capital budget request. However, in connection with a consultant's study of food service at SWC, a bakery facility was recommended. Corrections indicated that it could operate such a facility at the Robert E. Ellsworth Correctional Center (on the grounds of SWC) at a lower cost than DVA because of the use of inmate labor. The Department of Corrections subsequently requested \$3,025,000 in program revenue supported borrowing for construction of a stand alone bakery at Ellsworth to provide baked products for the Department of Veteran's Affairs' and Department of Health and Family Services'

facilities at SWC, the Department of Public Instruction's School for the Deaf and southeastern Wisconsin correctional facilities.

- 3. The Department of Administration's Division of Facilities Development (DFD), in its recommendations to the Building Commission related to the 1999-01 capital budget, proposed \$3.4 million in PR supported borrowing for a larger bakery at an undetermined location to potentially serve the following institutions, in addition to those proposed by Corrections: Dodge, Waupun, Columbia, Fox Lake, Kettle Moraine, Oshkosh and Taycheedah Correctional Institutions, the Drug Abuse Correctional Center, the Wisconsin Resource Center and Ethan Allen Juvenile School. DFD's recommendation assumes that the larger bakery would provide baked goods for up to 14,400 individuals and operate two shifts to serve the expanded number of facilities.
- 4. During Building Commission deliberations on the 1999-01 capital budget, the bakery project was expanded to \$3.7 million in PR supported borrowing to create an even larger facility to provide baked products not only for state facilities, but also for other governmental institutions. This is the recommendation currently before the Committee.
- 5. Corrections has not yet determined where a large production bakery would be placed or how it would operate. As a result, a number of concerns could be raised:
- During Building Commission deliberations, the possibility of Badger State Industries (BSI) operating the facility was discussed. If Corrections decides to operate the facility as a BSI industry, the Joint Committee on Finance would be required, by statute, to hold a public hearing related to creation of a new prison industry (baking) before the operation could begin.
- If the facility were operated by a specific correctional institution rather than BSI and costs of the facility paid with program revenue, a new appropriation would need to be created for correctional institution debt service repayment. The only PR debt service appropriation Corrections currently has is for BSI-related debt.
- It is not clear that individual correctional institutions could, outside of the statutory structure of BSI, create an industry selling products to other state institutions or local governments.
- Since location and operational decisions have not yet been made, it cannot be determined whether additional statutory language and/or a new PR appropriation will need to be created for the bakery operation.
- How breads, rolls, desserts and other baked products would be transported on a regular basis from a central location to at least 16 different state institutions has not yet been determined.
- The other governmental units that may be potential customers of the bakery have not been identified.
 - As with any prison industry, questions regarding competition with private sector

businesses will need to be addressed by Corrections in planning for the production bakery.

- 6. Based on a total cost of \$3,700,000 and assuming a 20-year repayment period, total cost of the production bakery is estimated to be \$6.2 million, with annual principal and interest costs of approximately \$310,000. The 1999-01 capital budget assumes that bonds will be repaid using revenues generated from bakery sales. Program revenue may also be used to support operation of the facility, depending on Corrections' final operational decision. As with other program revenue supported activities, if revenues are not sufficient to cover costs of the bakery, negative cash balances would be funded by the general fund.
- 7. The Building Commission's recommendation indicates that the additional \$300,000 above that recommended by DFD was provided to allow construction of a larger facility "if further study shows it to be more cost-efficient." No study regarding the bakery project is specified in the Commission's recommendations. The Committee should note, however, that the Building Commission's recommendations do require DOA to submit a report to the Joint Committee on Finance and the Building Commission by March 31, 2000, on: (a) the status of the centralized advanced food production system project at SWC enumerated for DVA in the 1999-01 state building program; and (b) the status of the renovation project and the proposed plans for the transfer of the assets and operational responsibilities for the food service activity at the center from the Department of Health and Family Services to the Department of Veterans Affairs. This report relates to transition of food service at SWC from DHFS to DVA, and not to operational aspects of Corrections' proposed production bakery.
- 8. Given the operational questions that can not yet be answered, the unknown potential fiscal effect for the proposal and the undetermined location of the bakery, the Committee may wish to consider deleting the enumeration of the production bakery from the 1999-01 capital budget. If the project is deleted, institutions would continue to provide their own baked goods through a combination of commercial suppliers and on-site production, where available.
- 9. If the Committee views the concept of a centralized production bakery for state facilities favorably, but has concerns regarding the current proposal, the enumeration could be eliminated and DOA could be directed to conduct a study that would address: (a) the specific size of the bakery; (b) the potential customers of the bakery, including other governmental entities; and (c) operational details of the facility, including how the facility would be funded and staffed, project revenues and expenditures for the bakery, and any offsetting cost reductions that could be made in Corrections, DHFS, DPI and DVA as the result of a centralized bakery. Under this alternative, DOA could be directed to prepare the study by January 1, 2000, and submit it to the Joint Committee on Finance. Based on the conclusions of the study, separate legislation could be introduced during the Spring, 2000, legislative session regarding the bakery.

ALTERNATIVES TO BASE

1. Approve the Building Commission's recommendation to enumerate the construction of a production bakery for the Department of Corrections to produce breads and other baked products for institutions in southeastern Wisconsin and provide \$3,700,000 in program revenue supported borrowing for the construction.

Alternative 1	BR
1999-01 FUNDING (Change to Base) [Change to Bill	\$3,700,000 \$3,700,000]

- 2. Delete the Building Commission's recommendation to enumerate the construction of a production bakery for the Department of Corrections. Require DOA to conduct a study of a production bakery for Corrections to produce breads and other baked products for institutions in southeastern Wisconsin which would address: (a) the specific size of the bakery; (b) the potential customers of the bakery, including other governmental entities; and (c) operational details of the facility, including, but not limited to, how the facility would be funded and staffed, projected revenues and expenditures for the bakery, and any offsetting staff and cost reductions that can be made in Corrections, DHFS, DPI and DVA as the result of a centralized bakery.
- 3. Delete the Building Commission's recommendation to enumerate the construction of a production bakery for the Department of Corrections.

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June 3, 1999

Joint Committee on Finance

Paper #250

State Fair Park Board Projects (Building Program)

[LFB 1999-01 Building Program Summary: Page 122-1, #1 and Page 122-5, #2]

CURRENT LAW

State Fair Park Board is provided \$13.0 million in general fund supported bonding for the construction of a housing facility and improvement of facilities at State Fair Park and \$27.85 million in program revenue (PR) supported general obligation bonding to construct or improve facilities at the Park. To date, \$4.5 million in PR supported bonding authority remains unexpended.

BUILDING COMMISSION

Provide \$887,100 in general fund supported bonding and \$887,100 in PR supported bonding for the replacement of sewers and pavement of streets and sidewalks. Further, provide \$17,900,000 in PR supported bonding as follows: (a) \$2,000,000 to appraise, purchase and develop 6.1 acres of land contiguous to the State Fair Park; (b) \$850,000 to replace a seasonal restroom facility with a larger structure that includes restrooms, showers and a laundry area; (c) \$14,500,000 for replacement and seating additions to the grandstand and north bleacher sections around the racing facility (the Milwaukee Mile); and (d) \$550,000 to upgrade the Milwaukee Mile, to include improving electrical hookups for the pit area, paving the race preparation area and installing a scoreboard at the north and south ends of the track. Under the contract with Haas Racing Teams, Haas would pay for all debt service (principal and interest) on the \$15,050,000 in bonding for seating and track upgrades at the Milwaukee Mile.

DISCUSSION POINTS

State Fair Park Revenues and Expenditures

1. It is estimated the State Fair Park will pay \$3.3 million PR and \$1.9 million GPR in debt service over the biennium for previously authorized bonds. In addition, once the remaining

\$4.5 million authorized in PR supported bonding authority is released, debt service on that amount would be \$377,000 PR annually. The general fund and program revenue payments that would be expected after issuance of bonds recommended by the Building Commission are shown below. Due to the timing of bond issuance and construction schedules, actual debt service on new bonds would be much lower in 1999-01.

TABLE 1
Additional Bonding Request and Annualized Debt Service

	<u>BR</u>	Annualized Debt	Fund Source
Park Improvements	\$887,100	\$74,200	GPR
Park Improvements	3,737,100	312,700	PR (Park Operations)
Race Track Improvements	_15,050,000	<u>1,259,400</u>	PR (Haas Racing Teams)
Total	\$19,674,200	\$1,646,300	

- 2. A March, 1996, Legislative Audit Bureau report indicated that the State Fair Park's ability to finance additional program revenue debt was limited because the availability of sufficient revenues is questionable. The audit indicated that it would be particularly difficult to finance any major construction or renovation projects from Park revenues, especially since the Park's expenditures had been exceeding revenue for most of the early 1990's. The audit was conducted based on data through 1995.
- 3. Any revenue from State Fair Park activities (including lease payments from the race track and the Pettit National Ice Center) that remains after operation costs are paid, is transferred to the Park capital improvement continuing appropriation account. Revenues are generally available for capital improvement projects in the following year. Any reduction in revenues or increase in debt service or other operating costs effectively reduces the amount of funds that are available for immediate capital improvements. Over the past five years, \$2.3 million in excess of operational expenses has been transferred to the capital improvement fund, or an average of \$457,000 per year. The Park Board has spent \$3.9 million from the fund over the same time (an average of \$780,000 annually).
- 4. Historically, the capital improvement fund has been used to finance renovation and repair projects related to the existing facility. However, the balance in the fund has declined from \$3.0 million in 1990-91 to approximately \$485,800 available currently. State Fair Park officials have stated that good management practice requires that a minimum balance of \$500,000 be maintained in the capital improvement fund for emergency repairs. With such a limited balance, the capital improvement fund is likely to have difficulty funding even small projects or meeting the present needs of the Park. Further, a recent State Fair Park report concurs that the balance in the capital improvement fund is inadequate to meet the current capital needs of the Park. Between 1993-94 and 1997-98, Park revenue increased by 19.6%, consistent with a 19.4% increase in operating expenditures (not including capital improvements). Table 2 portrays State Fair Park

expenditures and revenues in each of the past five fiscal years and projections through the 1999-01 biennium.

TABLE 2
State Fair Park Expenditures and Revenues (in thousands)

	1993-94	<u>1994-95</u>	1995-96	<u> 1996-97</u>	<u>1997-98</u>	1998-99*	1999-00*	2000-01*
Revenue								
State Fair	\$7,901	\$7,574	\$8,189	\$8,314	\$8,428			
Racing**	502	508	864	1,047	1,111			
Other	3,408	3,822	4,005	4,030	4,581			
Total	\$11,811	\$11,904	\$13,058	\$13,391	\$14,120	\$14,713	\$15,227	\$15,592
Expenditures								
General Ops.	10,306	10,604	11,392	11,506	12,031	12,267	12,473	12,645
PR Debt Service	983	1,068	1,153	1,369	1,451	1,501	1,542	1,702
Capital Improvement	ts <u>1,987</u>	<u>492</u>	200	981	289	538	<u>448</u>	448
Total	\$13,276	\$12,164	\$12,745	\$13,856	\$13,771	\$14,306	\$14,463	\$14,795

^{*}Estimated.

- 5. As shown in Table 2, the annual State Fair generates approximately 60% of the Park's total revenue. If the State Fair has low attendance due to inclement weather or other circumstances, the Park Board may have difficulty meeting expenditures or continuing general maintenance activities. Further, the state's general fund is ultimately responsible for the debt service on all of the bonds issued for improvements to the Park if program revenues are insufficient.
 - 6. In recommending bonding for the construction of any facility at State Fair Park, the Building Commission is statutorily required to assure that the proposed project is consistent with the overall objectives of State Fair Park and that the Park is able to pay the full debt service.

Strategic Development Committee Report

7. The State Fair Park Board recently accepted a report as recommended by the 20-member Wisconsin State Fair Park Strategic Development Committee. The Committee included two legislators and was co-chaired by the DATCP and Tourism Secretaries. The report includes sections submitted by agricultural, exhibition, finance, and food, beverage and entertainment work groups. The report makes numerous fiscal recommendations to the Park Board related to the capital budget, which are discussed in later sections. The report also includes recommendations such as creating a holistic Park planning process to coordinate infrastructure and facility upgrades with uses of the Park. Included is the recommendation to create or upgrade facilities to meet multiple uses in all seasons as well as to focus on attracting more and larger multi-day events. Further, the report

^{**} Racing revenue includes rent plus payments related to concessions, parking and other activities that are used to offset additional Park costs due to racing as well as debt service payments.

proposes streamlining Park funding and hiring processes and focusing on improving private sector investment in the Park. After approving the report in May, 1999, the Park Board allotted \$200,000 from its operations budget to hire entertainment planners and an architectural team to begin creating a master plan for the State Fair Park to integrate marketing and building efforts.

Infrastructure Improvements

- 8. Prior to the authorizing of \$13.0 million in GPR supported bonding for a dormitory in 1995, State Fair Park had been a self-sufficient, program revenue supported entity. The dormitory facility was constructed to replace an aging facility and to safely house the state's youth during the State Fair. The 1997-99 budget bill transferred \$2 million of the \$13 million in authorized bonds to a separate bonding appropriation to acquire, construct, develop, enlarge or improve State Fair Park facilities. The Building Commission's recommendation would provide additional GPR supported borrowing for general improvements at the Park. Park officials indicate that the improvements are needed to lessen the risk of events being disrupted by sewer backups at the Park and to prevent animal waste from Park barns from entering the storm sewer system in order to allow the Park to obtain a storm water discharge permit.
- 9. The Governor has indicated that general fund supported borrowing is needed for these infrastructure improvements and recommends a 50/50 split between program revenue supported and general fund supported borrowing. Split funding would provide assistance from the state in repairing and upgrading the Park while also requiring the Park to make an investment in its infrastructure.
- debt, it could be argued that general fund supported borrowing is necessary for immediate infrastructure improvements. State Fair Park officials indicate that total infrastructure replacement needs would cost \$12 million and that the unexpended \$4.5 million in PR supported bonding also would be used for infrastructure and other improvement projects. Of the \$12 million, immediate catch up repairs estimated at \$4.4 million were also included in the Strategic Development Committee report for such things as electric work, interior and exterior painting and roofing. Further, projects such as replacement or repair of all barn roofs and installation of laundry equipment at either the RV park or youth center at the north end of the Park were also advocated.

Capital Improvements

- 11. The Building Commission recommends providing \$2,000,000 in PR supported bonding to appraise, purchase and develop 6.1 acres of land contiguous to the State Fair Park and \$850,000 PR supported bonding to replace a seasonal restroom facility with a larger structure that includes restrooms, showers and a laundry area.
- 12. The Strategic Report also recommended purchasing the 6.1 acres of private land, for use as additional parking or for other purposes. The land is within the overall boundaries of the Park and Park officials indicate it would most likely be used for additional parking. Gas, oil and steel

companies have used the land for industrial purposes and potential environmental contamination concerns exist. Although the land is in a prime location for absorption into Park grounds, contamination cleanup costs associated with the land are unknown. The Legislature could prohibit the release of bonding for purchase of the property until the land has been tested for contamination and an estimate of clean-up costs has been submitted to the Joint Finance Committee for approval under s. 13.10. If used for parking, this property should generate additional revenues for park operations.

13. An existing, three-season restroom facility in the south section of the Park does not conform to standards outlined in the Americans with Disabilities Act. Bonding would be used to construct a year-round facility with shower and laundry facilities for use by carnival staff, exhibitors during livestock events, and recreational campers. The Park currently does not offer laundry machines. It could be argued that constructing a restroom-only facility would be adequate, since the Strategic Report recommends providing laundry facilities at the north end of the fair grounds-closer to the youth center and the RV park. Cost estimates for a restroom-only facility have not been developed. The State Fair Park could request funding for a laundry facility once it completes its master plan process. Further, it is uncertain to what extent laundry and shower facilities would be used throughout the year, especially since the building would be on the opposite side of the park from the youth center. Since this facility would not directly generate significant revenue, if the Committee chooses to provide funding, it could consider a 50/50 split between PR and GPR supported bonding similar to the infrastructure improvements.

Race Track and Contract Improvements

- 14. The State Fair Park maintains a contractual relationship with the Pettit National Ice Center and Haas Racing Teams. The Strategic Report indicates that the State Fair and these two entities engage in few joint promotion activities, and further, that the State Fair Park is rather removed from contract negotiations and capital improvement decisions regarding the two lessees. Specifically, the committee report contends that Park officials have not been involved in all design discussions with the racing promoter. It is State Fair Park officials' hope that grandstand replacement design decisions are included in the Park's master plan process, since these decisions will be important to the overall design of the Park. Bonds for the race track could be deleted or the Committee could require the Park Board to approve grandstand and bleacher designs before the Building Commission releases bonding for seating replacement.
- \$893,000 annually for debt service reimbursement, but the Center is four months (\$300,000) behind on payments. Park officials indicate that the Center has missed monthly payments before, but usually makes larger payments in the summer months to catch up. The Park also provides some maintenance for the facility, but required rental payments are only sufficient to reimburse the Park for debt service on the ice center bonds. The Strategic Development Committee recommends rewriting the contract between the ice center and the State Fair Park to specify whether the state or the Center is responsible for repairs or improvements and to require the Center to pay rent beyond debt service if it is a Park responsibility. The current lease agreement will expire in 2013.

16. The current racing contract was amended for the second time in November, 1997, to update debt service payments owed by Haas Racing Teams for track resurfacing costs. The contractor can unilaterally extend the contract for up to three, seven-year terms if the contractor remains current on the payments required under the contract. The first extension began on November 1, 1998. Under the contract, Haas is required to pay base rent of \$300,000 annually beginning in August, 1999, with additional rents based on a proportion of net income. Table 3 displays the revenue received since 1994 from the contract with the race promoter.

TABLE 3

State Fair Park Revenues from the Racing Contract

	Base Rent	Additional Rent	Total Rent	<u>Debt Service</u>
1994 Race Season	\$25,000	\$0	\$25,000	\$0
1995 Race Season	110,000	195,276	305,276	8,433
1996 Race Season	135,000	383,269	518,269	51,261
1997 Race Season	135,000	362,670	497,670	51,193
1998 Race Season	135,000	N.A.*	N.A.	319,272

^{*}Final reconciliation of 1998 rents is not expected until July.

- Although the State Fair Park Board requested funding of \$4.375 million for race track seating replacement, the Building Commission recommended \$14.5 million in bonding. The Building Commission recommended the higher figure to cover the costs of replacing and increasing grandstand seating in addition to replacing the north bleacher seats requested by the Park Board. According to Park officials, since seating is filled to capacity for major races, expansion would increase revenue. Further, it is anticipated that the improved sight lines of the new design would increase the desirability, and thereby the pricing, of some seats. To the extent that State Fair Park receives a portion of Haas revenue under the current contract, increased revenue from additional seating could also increase revenues to the Park. Haas has indicated it is willing to pay all of the debt service on both the seating and race track improvements, as is specified in the current contract. However, if the increased rents to pay for the bonding exceed the increased revenues to Haas, rent revenue (net of debt related payments) to the Park could be lowered under the formula in the contract. Conversely, the Building Commission believes that providing bonding for both the grandstand and bleachers together would increase revenue at a faster rate since more seats would be available sooner. Further, Park officials indicate that if the projects are not done together, the new seating would hinder the sight lines of old seating.
- 18. If the racing contract is not renewed before November, 2005 or if the contractor does not make payments sufficient to cover the debt service cost on the bonds used to fund improvements at the track (approximately \$1.3 million annually associated with bonding under the Commission's recommendations), State Fair Park would be required to make the payments. If the Park were

unable to pay for the bonding, the state would be responsible for payments.

ALTERNATIVES TO BASE

- 1. Approve the Building Commission's recommendation to provide for the replacement of sewers and pavement of streets and sidewalks through:
 - a. \$887,100 in general fund supported bonding; and
 - b. \$887,100 in PR supported general obligation bonding.

Further, provide additional general obligation PR supported bonding as follows:

- c. \$2,000,000 to appraise, purchase and develop 6.1 acres of land contiguous to the State Fair Park;
- d. \$850,000 to replace a seasonal restroom facility with a larger structure that includes restrooms, showers and a laundry area;
- e. \$14,500,000 for replacement and seating additions to the grandstand and north bleacher sections around the racing facility (with debt service on the \$14.5 million to be paid for through additional rents by the race promoter); and
- f. \$550,000 to upgrade the Milwaukee Mile, to include improving electrical hookups for the pit area, paving of the race preparation area and installing a scoreboard at the north and south ends of the track (with debt service to be paid for through additional rents by the race promoter).

Alternative 1	BR-GPR	BR-PR	TOTAL
1999-01 FUNDING (Change to Base)	\$887,100	\$18,787,100	\$19,674,200
[Change to Bill	<i>\$887,100]</i>	<i>\$18,787,100</i>	<i>\$19,674,200]</i>

2. Rather than providing all PR supported bonding under Alternative 1d, provide \$425,000 each from PR and GPR supported general obligation bonding.

Alternative 2	BR-GPR	BR-PR	TOTAL
1999-01 FUNDING (Change to Alternative 1)	\$425,000	- \$425,000	\$0

3. In lieu of Alternative 1e, provide \$4,375,000 in bonding for north bleacher section replacement, as requested by the State Fair Park Board (with debt service to be paid for through additional rents by the race promoter).

Alternative 3	BR-PR
1999-01 FUNDING (Change to Alternative 1)	- \$10,125,000

- 4. Prohibit the Building Commission from releasing \$2,000,000 in bonding for purchasing the 6.1 acres of land under Alternative 1c until the land in question has been tested for environmental contamination and an estimate of clean-up costs has been be submitted by the Park Board and DOA to the Joint Finance Committee for review and approval under s. 13.10.
- 5. Require the State Fair Park Board to approve the design of grandstand and bleacher replacement and construction before bonding for seating replacement is released by the Building Commission.
 - 6. Maintain current law.

Prepared by: David Schug

STATE FAIR PARK BOARD

LFB Summary Items for Which No Issue Paper Has Been Prepared

Item #	<u>Title</u>
1	Standard Budget Adjustments
2	Capital Expenses
3	Entertainment Cost Increase
4	Advertising Cost Increase
5	Staff Increases
6	Staff Overtime
7	Limited-Term Employe Wage Increase
8	Debt Service Reestimate